

EXHIBIT 8

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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
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10 In Re: Toyota Motor Corp. Unintended
11 Acceleration Marketing, Sales
12 Practices, and Products Liability
13 Litigation

14 This document relates to:

15 ALL CASES

16 8:10ML02151 JVS (FMOx)

17 ORDER NO. 3: ADOPTION OF A
18 SCHEDULE FOR THE FILING OF
19 CONSOLIDATED COMPLAINT[S],
20 RULE 26(a)(1) INITIAL
21 DISCLOSURES, AND PLEADINGS
22 MOTIONS

23 On May 14, 2010, the Court issued an Order seeking the parties' positions
24 on scheduling and preliminary discovery issues, including a deadline for the filing
25 of consolidated class action complaint(s) for economic loss, briefing schedules for
26 Rule 12 and other pleadings motions, the entry of an appropriate evidence
27 preservation order, and the timing and scope of the Rule 26(a)(1) initial
28 disclosures. Pursuant to that Order, the parties filed their Joint Statement re
 Proposed Scheduling Order (Docket No. 176), and each side filed their own brief
 as well (Docket Nos. 177, 178 (declaration), and 179), all of which the Court

1 reviewed in advance of the hearing. Upon review, and after considering the
2 arguments of the parties at the May 28, 2010, hearing, the Court makes the
3 following Order:

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5 I. Initial Disclosures

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7 A. Plaintiffs

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9 Plaintiffs' initial disclosures shall be made no later than July 2, 2010.

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11 B. Toyota Defendants¹

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13 The Court is in agreement with defendants that full compliance with Rule
14 26(a)(1) is not appropriate in light of the complexity of these cases. However, the
15 Court is convinced that defendants have within their possession a defined set of
16 documents, consisting of approximately 75,000 to 100,000 pages, much or all of
17 which is likely to be discoverable, and which has already been produced to
18 Government entities to date, including without limitation to the United States
19 Congress and National Highway Traffic Safety Administration. Those documents
20 which are discoverable under the Federal Rules of Civil Procedures shall be
21 produced no later than July 2, 2010.

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23 As discussed at the hearing, the present Order does not alter the scope of
24 documents that ultimately may be discoverable, nor does it limit objections to

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27 ¹ The Toyota Defendants include Toyota entities named as defendants in the
28 member cases.

¹ production on the basis that a document is not relevant² or is shielded by attorney-client or work-product privilege.

The Court recognizes the difficulties regarding the documents using the Japanese language; however, best efforts shall be made to produce such documents no later than July 2, 2010, and thereafter any remaining production shall be made on a rolling basis weekly. Defendants are not obligated to provide English translations of the documents if such translations do not exist in the documents produced to the Government entities.

10 Documents expected to be covered by the anticipated protective order shall
11 be produced no later than ten days after the entry of the protective order.

II. Filing of Consolidated Complaint(s)

Plaintiffs shall file the consolidated complaint(s) in the economic loss cases no later than August 2, 2010.

² Of course, when referring to “relevancy” in the discovery context, the Court is not concerned with a document’s relevancy for admissibility purposes; rather, the Court is concerned with the lower standard of relevancy applicable to a document’s discoverability. Compare Fed. R. Evid. 401 (“Relevant evidence” means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.”) with Fed. R. Civ. P. 26(b)(1) (“Relevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence.”).